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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09 575,349	05 19 2000	Michael J. D'Elia	AMDA 474PA	1541

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EXAMINER

PERALTA, GINETTE

ART UNIT PAPER NUMBER

2814

DATE MAILED: 02/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/575,349

Applicant(s)

D'ELIA ET AL

Examiner

Ginette Peralta

Art Unit

2814

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 1-17 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Response to Arguments***

1. In view of the Appeal brief filed on 11/25/02, PROSECUTION IS HEREBY REOPENED. New grounds of rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

2. Applicant's arguments with respect to claims 18-30 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 18-21, 26, 27 are rejected under 35 U.S.C. 102(b) as being anticipated by Okumura et al. (U. S. Pat. 5,015,330).

Okumura discloses in Fig. 8 a system for forming a coating on a surface of a semiconductor wafer in a CVD arrangement, the system comprising means 92 for supplying a uniform supply of gas to the surface of the wafer, the surface being in a zone of the CVD arrangement that exhibits a depleted gas supply absent the injector; and means for using the supplied gas in combination with selected reactants to deposit a coating on the wafer.

With regards to claims 20 and 21, Okumura discloses that the arrangement is provided with various pairs of electrodes in order to supply gas in a non-uniform or uniform manner, thus the gas can be supplied in different quantities to different zones of the CVD arrangement compensate for a gas depletion rate.

Okumura further discloses depositing a coating having uniform thickness and adjusting the injector to maintain a uniform gas supply.

#### *Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okumura et al. (U. S. Pat. 5,015,330) in view of Jeng et al..

With regards to claims 22, 23, 24, 25, Okumura discloses the claimed invention with the exception of the use of dichlorosilane and ammonia, and depositing an anti-reflective coating.

Jeng et al. teaches a method for forming a coating on a surface that comprises supplying a gas to a chamber, and using the supplied gas in combination with selected reactants and depositing a coating on the wafer, wherein the gas includes ammonia and dichlorosilane, wherein depositing a coating on the wafer includes depositing an anti-reflective coating (ARC) having uniform optical properties, wherein the ARC has a k value between 0.3 and 0.5, and the method further includes performing photolithography using the ARC.

Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to introduce reactants like ammonia and dichlorosilane, and to deposit an anti-reflective coating as Jeng et al. teaches with the CVD arrangement of Okumura for the purpose of depositing a uniform film over a semiconductor substrate and to form high density integrated circuits.

7. Claims 28-30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okumura in view of Bartholomew et al..

Okumura discloses the claimed invention with the exception of providing a gas concentration detector in the CVD arrangement and adjusting the gas injector in response to a detected concentration.

Bartholomew et al. teaches a method that comprises adjusting a gas injector in a CVD arrangement by providing at least one gas concentration detector in the CVD arrangement in the form of a sensor that measures the flow characteristics of at least one of the gases in the gas flow path (Col. 4, ll. 48-55), and in response, to the detected characteristic, the gas injector is adjusted, wherein the detector is removed from the CVD arrangement after detecting the concentration of the supplied gas.

Thus, it would have been obvious to one of ordinary skill in the art to use a CVD arrangement that would control the introduction of the gases according to the concentration or other characteristics of the gases for the disclosed intended purpose of Bartholomew et al. of controlling the reaction as the flow rate of gases affect the extent and uniformity of the deposition reaction in the invention of Okumura.

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ginette Peralta whose telephone number is (703)305-7722. The examiner can normally be reached on Monday to Friday 8:00 AM- 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wael Fahmy can be reached on (703)308-4918. The fax phone numbers for

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the organization where this application or proceeding is assigned are (703)308-7722 for regular communications and (703)308-7724 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-0956.

GP  
January 27, 2003

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